REMARKS

This amendment is responsive to the Office Action of April 2, 2004. Reconsideration and allowance of claims 1-24 are requested.

Claims 1, 2, 4, 8, 12, and 13 are amended.

The Office Action

Claims 1-24 were objected to for informalities. The Examiner suggested that all pending claims include the terminology "computer-implemented method" and "computer instructions causing a computer to execute the following."

Applicants note that although many of the steps are of the type commonly performed by a computer, there are some steps which need not be performed by the computer. For example, the step of "comparing a shape of the second function (**Funct. 2)** with a shape of a reconstructed second function (**Funct. 2A**) derived from a proposed first function (**Funct. 1a**), the proposed first function describing a proposed relationship of the first variable to the independent variable" can include steps which are performed by a computer or a human. The step of comparing two functions can be performed by computer or by eye, since the differences, particularly in early iterations are readily visible from the plots. The proposed first function (**Funct. 1a**) can be proposed by the computer or by input, since it can be as simple as a straight line.

Applicants have amended the claims to address the Examiner's objections.

There being no further rejections of the claims, it is respectfully submitted that the claims are now in condition for allowance.

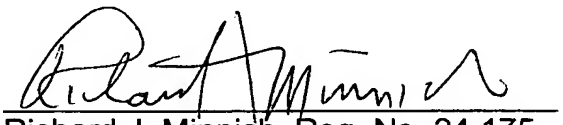
CONCLUSION

For the reasons set forth above, it is submitted that claims 1-24 (all claims) distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is requested to telephone Ann M. Skerry at (216) 861-5582.

Respectfully submitted,

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP



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Certificate of Mailing

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

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